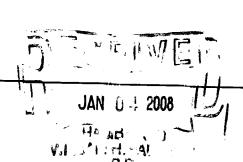
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United States Attorney Southern District of New York

January 4, 2008

USDC SDNY <del>70CUMENT</del>

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## BY FACSIMILE

The Honorable William H. Pauley III United States District Judge Southern District of New York Foley Square New York, New York 10007

> United States v. Borbon and Santana, 07 Cr. 986 (WHP)

Dear Judge Pauley:

A pretrial conference has been set by Your Honor for February 1, 2008, at 2:00 p.m. The Government respectfully requests that the Court exclude time from today until February 1, 2008, pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(8)(A). The ends of justice served by such continuance outweigh the interest of the public and the defendant in a speedy trial because the continuance will allow Borbon's new trial counsel to review discovery and permit the Government to continue the appropriate discussions regarding a possible disposition of this case. Defense counsel consents to this request for the exclusion of time.

Respectfully submitted,

MICHAEL J. GARCIA United States Attorney

Sylvedon Grantel.

SO ORDERED:

CC:

Benjamin A. Naftalis Assistant United States Attorney

Tel. No.: (212) 637-2456

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By: